

- 1 -

Docket No. 0756-2297

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Shunpei YAMAZAKI et al.) Attention: Applications Branch
Serial No. 09/837,558)
Filed: April 19, 2001)
For: SEMICONDUCTOR DEVICE AND)
MANUFACTURING METHOD)
THEREOF)

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION - FILING DATE GRANTED

Honorable Commissioner for Patents
Washington, D.C. 20231
Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted, under 37 CFR 1.53(b) dated June 13, 2001, submitted herewith is an executed Declaration and Power of Attorney, an English translation of the application with Declaration, substitute drawings in compliance with 37 CFR 1.84 and a copy of Notice to File Missing Parts of Application - Filing Date Granted along with the fees under 37 CFR 1.16. (Statutory Basic Filing Fee - \$710, Surcharge - \$130, Translation Fee - \$130 and Claims Fee - \$430).

The above fees are covered by the attached check in the amount of \$1,130.00. Should there be any additional fees required for proper filing of the attached documents, please charge Deposit Account No. 19-2380. Prompt issuance of a filing receipt is respectfully requested.

Respectfully submitted,

Eric J. Robinson
Reg. No. 38,285

NIXON PEABODY LLP
8180 Greensboro Drive
McLean, Virginia 22102
(703) 790-9110



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/837,558	04/19/2001	Shunpei Yamazaki	740756-2297

CONFIRMATION NO. 7532

FORMALITIES LETTER



OC00000006178144

22204
NIXON PEABODY, LLP
8180 GREENSBORO DRIVE
SUITE 800
MCLEAN, VA 22102

Repln. Ref: 11/15/2001 HROCHAI 0009234000
Date: 09/17/2001 Name/Number: 09837558
FC: 704 0270.00 CR

Date Mailed: 06/13/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/17/2001 NBERHE 00000062 09837558

FILED UNDER 37 CFR 1.53(b)

01 FC:101 710.00 OP
02 FC:102 160.00 OP
03 FC:104 270.00 OP
04 FC:105 130.00 OP
05 FC:139 130.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- **The balance due by applicant is \$ 970.**
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing figures contain text that is not in English (including, for example, a flow

Adjustment date: 11/15/2001 HROCHAI
09/17/2001 NBERHE 00000062 09837558
03 FC:104 -270.00 OP

chart that was originally not in English that has been marked up to include the English text) see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1);

A copy of this notice MUST be returned with the reply.

H.T

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**FEE TRANSMITTAL
FOR FY 2001**

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/837,558
Filing Date	April 19, 2001
First Named Inventor	Shunpei YAMAZAKI et al.
Examiner Name	Unassigned
Group Art Unit	Unassigned
Attorney Docket No.	0756-2297

TOTAL AMOUNT OF PAYMENT

\$550.00

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge any additional fees required and credit any overpayments to:

Deposit Account Number **19-2380**

Deposit Account Name **Nixon Peabody LLP**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ **Payment Enclosed:**

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$ 710.00)**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
20	-20** = 0	X 18	= 0
Independent Claims	5	-3** = 2	X 160 = 160
Multiple Dependent		270	= 270

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 430.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English transaction	130.00
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	110.00
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
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141	1,240	241	620	Petition to revive - unintentional	
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122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
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179	710	249	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____


* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 400.00)**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, DC 20231, on _____

Name: _____

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	Eric J. Robinson	Registration No. (Attorney/Agent)	38,285	Telephone	(703) 790-9110
Signature				Date	September 13, 2001

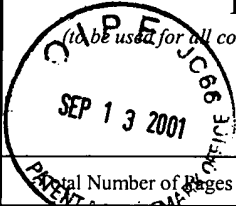
Please type a plus sign (+) inside this box → [+]

PTO/SB/21 (08-00)

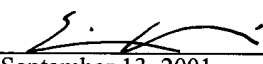
Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> 		Application Number	09/837,558
		Filing Date	April 19, 2001
		First Named Inventor	Shunpei YAMAZAKI et al.
		Group Art Unit	Unassigned
		Examiner Name	Unassigned
Attorney Docket Number	0756-2297		

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Preliminary Amendment
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	<u>Eric J. Robinson, Reg. No. 38,285</u> Nixon Peabody LLP 8180 Greensboro Drive Suite 800 McLean, VA 22012
Signature	
Date	September 13, 2001

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 		
Type or printed name		
Signature		Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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Name: _____

SUBMITTED BY

Name (Print/Type)	Eric J. Robinson	Registration No. (Attorney/Agent)	38,285	Telephone	(703) 790-9110
Signature				Date	September 13, 2001

Complete (if applicable)



Docket No. 0756-2297

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Shunpei YAMAZAKI et al.)
Serial No.: 09/837,558)
Filed: April 19, 2001)
For: SEMICONDUCTOR DEVICE AND)
MANUFACTURING METHOD THEREOF)

VERIFICATION OF TRANSLATION

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

I, Satomi Yumoto, B-310, 304-1, Hase, Atsugi-shi, Kanagawa-ken 243-0036 Japan, a translator, herewith declare:

that I am well acquainted with both the Japanese and English Languages;

that I am the translator of the attached translation of the above identified application Serial No. 09/837,558 filed on April 19, 2001; and

that to the best of my knowledge and belief the following is a true and correct translation of the above identified application Serial No. 09/837,558 filed on April 19, 2001.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: this 3 day of August, 2001

Satomi Yumoto

Name: Satomi Yumoto